



**{In Archive} RE: SNC report (Haviland & Pretty Prairie)**

**Kelly Kelsey** to: Scott Marquess

10/05/2009 03:46 PM

From: Kelly Kelsey <KKelsey@kdheks.gov>  
To: Scott Marquess/SUPR/R7/USEPA/US@EPA

History: This message has been forwarded.

Archive: This message is being viewed in an archive.

1 attachment



**Nitrate Strategy.doc**

Scott -

Attaching a copy of the DRAFT strategy that was later signed by EPA and KDHE. Essentially, KDHE felt we could manage the health effects of nitrates on the affected population (infants, nursing mothers and pregnant women) by providing bottled water to those individuals. The thought was that most of the communities in KS that had nitrates were actually very small populations with an even smaller population of affected persons. By providing public notification, public education and bottled water, we could manage health effects without causing these very small communities to spend hundreds of thousands of dollars to address nitrates that were in the 11 - 12 mg/L range.

Kelly D. Kelsey  
Environmental Scientist  
Kansas Dept. of Health and Environment  
Bureau of Water - Public Water Supply Section  
1000 SW Jackson; Suite 420  
Topeka, KS 66612  
Phone: (785) 296-6297  
Fax: (785) 296-5509  
[www.kdheks.gov/pws/](http://www.kdheks.gov/pws/)

-----Original Message-----

From: Marquess.Scott@epamail.epa.gov [mailto:Marquess.Scott@epamail.epa.gov]  
Sent: Monday, October 05, 2009 3:41 PM  
To: Kelly Kelsey  
Subject: RE: SNC report (Haviland & Pretty Prairie)

Kelly,

Thanks for the reply. I was Googling around the web and came across something about a KDHE policy on nitrates, but didn't

pay much  
attention. Is that a policy that you still follow,  
or has it been  
nullified?

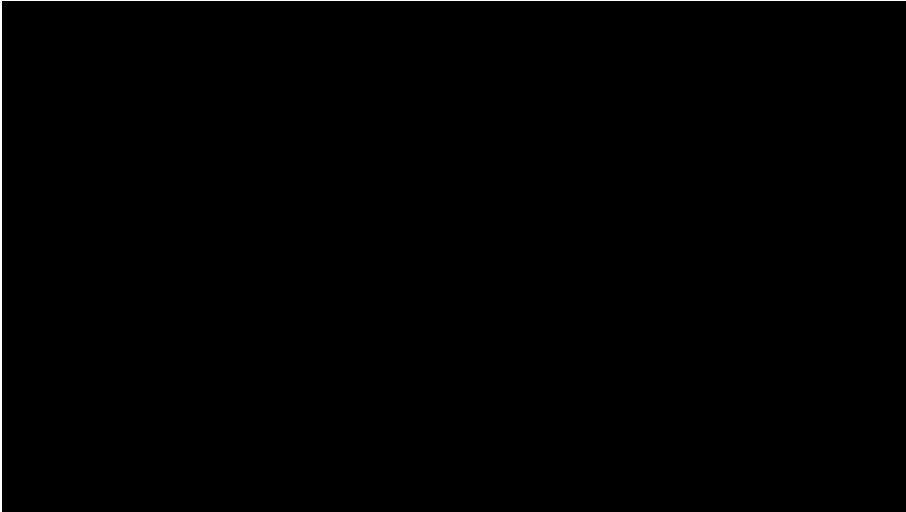
I'll check around here and see what I can learn about  
the Haviland  
situation.

thanks  
Scott

	Kelly Kelsey <KKelsey@kdheks. gov>	
To		Scott
	10/05/2009 03:36 Marquess/SUPR/R7/USEPA/US@EPA PM	
cc		
Wurtz/R7/USEPA/US@EPA, <dwaldo@kdheks.gov>,  <DPlummer@kdheks.gov>, Allen <aguernse@kdheks.gov>,  <ARNichols@kdheks.gov>, Allison <AHerring@kdheks.gov>,  <HHoryna@kdheks.gov>, John Goetz <jgoetz@kdheks.gov>, Zachary <ZPhillips@kdheks.gov>	Monica Dave Waldo Darrel Plummer  Guernsey Allen R Nichols  Herring Heath Horyna  Phillips	
Subject		
(Haviland & Pretty		RE: SNC report  Prairie)

Redacted non responsive

Scott-



As far as Pretty Prairie, they we discussing the possibility of filing a lawsuit against EPA to fight the MCL for nitrate. At one time the City requested a meeting with EPA ... Mary Mindrup? The meeting request was denied if I remember correctly. It has been our position to postpone any additional enforcement against the City until potential legal actions are resolved. There is much more history here regarding a Nitrate Strategy that KDHE implemented under the approval of EPA. The Strategy was deemed inconsistent with the SDWA by EPA Region 7 back in 2005/2006. Dave Waldo may have additional comments on this response.

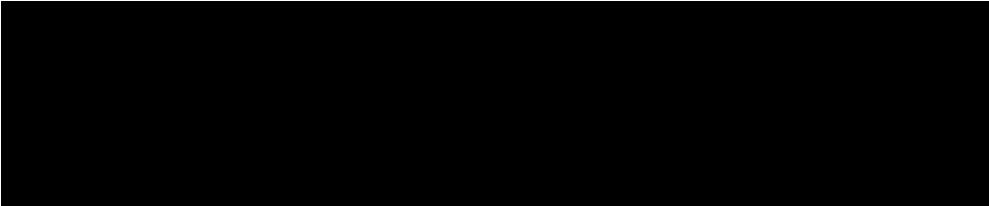
Kelly D. Kelsey  
Environmental Scientist  
Kansas Dept. of Health and Environment  
Bureau of Water - Public Water Supply Section  
1000 SW Jackson; Suite 420  
Topeka, KS 66612  
Phone: (785) 296-6297  
Fax: (785) 296-5509  
[www.kdheks.gov/pws/](http://www.kdheks.gov/pws/)

-----Original Message-----

From: Marquess.Scott@epamail.epa.gov [mailto:Marquess.Scott@epamail.epa.gov]  
Sent: Monday, October 05, 2009 12:24 PM  
To: Kelly Kelsey  
Cc: Wurtz.Monica@epamail.epa.gov  
Subject: SNC report

Kelly,

I've briefly looked over the 1st quarter 2009 SNC report you provided at our last quarterly meeting. There were a couple facilities where I had questions -



Pretty Prairie - The report says that EPA and the City were talking. Do you know who (what program) at EPA was talking with them, and about what?

Thanks for your help.

Scott Marquess  
EPA R7  
913 551-7131